



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kenji NISHI

Application No.: 09/782,062

Filed: February 14, 2001

For: EXPOSURE METHOD, EXPOSURE APPARATUS, AND METHOD FOR
PRODUCING DEVICE

Group Art Unit: 2877

Examiner: G. Stock, Jr.

Docket No.: 108601

#11
7-22-03
Brown

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the June 17, 2003 Restriction Requirement, Applicant hereby elects Group I, which the Restriction Requirement indicates includes claims 1-10 and 23-29. The election is made with traverse.

Applicant respectfully submits that claims 11-22, 53 and 54 also should be included in the Group I claims. First, Applicant submits that independent method claim 1, already designated in Group I, corresponds closely to independent apparatus claim 11. Thus, like independent claims 6 and 23, which are designated for Group I, independent claim 11 and its dependent claims 12-22 also should be designated as corresponding to Group I. Second, claims 53 and 54 respectively depend from Group I independent claims 1 and 6.

Thus, Applicant respectfully submits that the Group I claims should be claims 1-29, 53 and 54, rather than only claims 1-10 and 23-29.

Furthermore, it is also respectfully submitted that the subject matter of all pending claims is sufficiently related that a thorough search for the subject matter of any one group of

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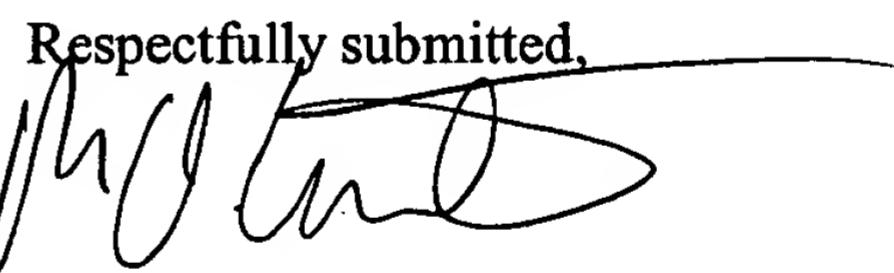
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claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of the entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

The Examiner also is requested to consider the reference submitted with the Information Disclosure Statement filed with this application on February 14, 2001 (the reference was a copy of Application No. 09/666,407), and the U.S. patent, which corresponds to the previously submitted application, submitted with the attached Information Disclosure Statement.

Respectfully submitted,


Mario A. Costantino
Registration No. 33,565

MAC/jam

Attachment:
Information Disclosure Statement

Date: July 17, 2003

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